

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

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| IN RE |) | |
| CAPITAL ONE TELEPHONE |) | Master Docket No. 1:12-cv-10064 |
| CONSUMER PROTECTION ACT |) | MDL No. 2416 |
| LITIGATION |) | |
| |) | |
| This document relates to: ALL CASES |) | |

CAPITAL ONE'S STATUS REPORT

Capital One provides this Status Report, as requested by the Court at the status hearing held yesterday, June 17, 2014, at 11:00 a.m, in the above-referenced action. Following is a chart that reflects each of the 59 cases that have been transferred by the Judicial Panel on Multidistrict Litigation to MDL No. 2416. For each, the chart lists the case name, the Northern District of Illinois case number, the current status of the case—either active or terminated, and the originally assigned district and magistrate judges, if any.

As mentioned, the JPML has transferred 59 cases to this multidistrict litigation. Three cases are putative class actions:

- *Amadeck, et al. v. Capital One Financial Corp., et al.*, N.D. Ill. Case No. 1:12-cv-10135;
- *Martin, et al. v. Leading Edge Recovery Solutions, LLC, et al.*, N.D. Ill. Case No. 1:11-cv-05886; and
- *Patterson v. Capital Mgmt. Servs., LP, et al.*, N.D. Ill. Case. No. 1:12-cv-01061.

The remaining 56 cases were brought by individuals or bankruptcy trustees. Of those 56 individual or bankruptcy cases, 34 have settled and been dismissed, leaving 22 currently pending. Out of these 22 cases, Capital One and one individual plaintiff are in the process of finalizing settlement. Capital One is also in active settlement negotiations with several other individual plaintiffs.

| Case Name | N.D. Ill. Case No. | Status | Original Jurisdiction | Originally Assigned District Judge | Originally Assigned Magistrate Judge |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------|------------------------------------------------------|-------------------------------------|--------------------------------------|
| Raymond Alvandi v. Capital One Bank (USA), N.A.; and DOES 1-10, inclusive. | 1:13-cv-03607 | Active | U.S. District Court, Central District of California | N/A | The Honorable Jay C. Gandhi |
| Bridgett Amadeck, Felix N. Hansen, and Albert H. Kirby individually and as class representatives for National and Washington State Classes of similarly situated individuals v. Capital One Financial Corporation and Capital One Bank (USA), N.A. | 1:12-cv-10135 | Active | U.S. District Court, Western District of Washington | The Honorable Robert S. Lasnik | N/A |
| Phillip Baltazar v. Capital One Bank (USA) N.A., Capital One Services, LLC; Hunt & Henriques; The Moore Law Group, APC; and ARS National Services, Inc. | 1:12-cv-10137 | Terminated | U.S. District Court, Central District of California | The Honorable Andrew J. Guilford | The Honorable Arthur Nakazato |
| Michael and Margie Beeson v. Capital One Bank USA., N.A. and DOES 1 through 10, inclusive | 1:13-cv-4246 | Terminated | U.S. District Court, Southern District of California | The Honorable Janis L. Sammartino | The Honorable David H. Bartick |
| Marjorie Bergiste v. Capital One Bank (USA), N.A.; Rubin & Debski, P.A.; and Arthur Drew Rubin. | 1:14-cv-02594 | Terminated | U.S. District Court, Southern District of Florida | The Honorable James I. Cohn | The Honorable Barry S. Seltzer |
| Cynthia Biletnikoff v. Capital One Bank (USA), N.A. | 1:12-cv-10138 | Active | U.S. District Court, Eastern District of California | The Honorable Lawrence J. O'Neill | The Honorable Sheila K. Oberto |
| (In re: Thomas J. Carollo and Stacey L. Carollo, Debtors.) V. John Brook, as Chapter 7 Trustee of the estate of Thomas J. Carollo and Stacey L. Carollo v. Capital One Bank (USA), N.A. | 1:12-cv-10117 | Terminated | U.S. Bankruptcy Court, Middle District of Florida | The Honorable Catherine Peek McEwen | N/A |
| (In re: Mark P. Counihan and Susan H. Counihan, Debtors.) V. John Brook, as Chapter 7 Trustee of the estate of Mark P. Counihan and Susan H. Counihan v. Capital One Bank (USA), N.A. | 1:12-cv-10140 | Terminated | U.S. Bankruptcy Court, Middle District of Florida | The Honorable Catherine Peek McEwen | N/A |
| Jill Angela Coy v. Capital One Bank (USA), N.A. | 1:12-cv-10131 | Terminated | U.S. District Court, Southern District of Iowa | The Honorable Harold D. Vietor | The Honorable Celeste F. Bremer |
| (In re: Cynthia N. Darin, Debtor.) V. John Brook, the Chapter 7 Trustee of the bankruptcy estate of Cynthia N. Darin v. Capital One Bank (USA), N.A. | 1:12-cv-10119 | Terminated | U.S. Bankruptcy Court, Middle District of Florida | The Honorable K. Rodney May | N/A |
| (In re: Mark Allen Daunce, Debtor.) V. John Brook, as Chapter 7 Trustee of the Estate of Mark Allen Daunce v. Capital One Bank (USA), N.A. | 1:12-cv-10124 | Terminated | U.S. Bankruptcy Court, Middle District of Florida | The Honorable K. Rodney May | N/A |
| Trenace Davis, v. Capital One Bank (USA) N.A. | 1:13-cv-03510 | Active | U.S. District Court, Northern District of Georgia | The Honorable Julie E. Carnes | N/A |
| (In re: Tawfek Dawhajre, a/k/a Tawfek Dawhajre Maldonado, Debtor.) Angela Welch Esposito, as Chapter 7 Trustee of the estate of Tawfek Dawhajre a/k/a Tawfek Dawhajre Maldonado v. Capital One Bank (USA), N.A. | 1:12-cv-10114 | Terminated | U.S. Bankruptcy Court, Middle District of Florida | The Honorable K. Rodney May | N/A |
| (In re: Eunice Dixon) Angela W. Esposito, as Chapter 7 Trustee of the estate of Eunice Dixon v. Capital One Bank (USA), N.A. | 1:12-cv-10122 | Terminated | U.S. Bankruptcy Court, Middle District of Florida | The Honorable Catherine Peek McEwen | N/A |
| (In re: Deanna Marie Dorcak, Debtor.) Angela W. Esposito, as Chapter 7 Trustee of the estate of Deanna Marie Dorcak v. Capital One Bank (USA), N.A. | 1:12-cv-10111 | Terminated | U.S. Bankruptcy Court, Middle District of Florida | The Honorable K. Rodney May | N/A |
| Sandra Erskine v. Capital One Bank (USA) N.A. | 1:13-cv-08785 | Active | U.S. District Court, Eastern District of Michigan | The Honorable Terrence G. Berg | The Honorable Michael J. Hluchaniuk |
| (In re: Brenda L. Ervin, Debtor.) Larry S. Hyman, as Chapter 7 Trustee of the estate of Brenda L. Ervin v. Capital One Bank (USA), N.A. | 1:12-cv-10116 | Terminated | U.S. Bankruptcy Court, Middle District of Florida | The Honorable Michael G. Williamson | N/A |
| Matthew Fallesen v. Capital One, N.A. | 1:14-cv-02381 | Active | U.S. District Court, Central District of California | The Honorable Virginia A. Phillips | The Honorable David T. Bristow |
| Keith Frosland v. Capital One Bank (USA) N.A., DOES 1-10 inclusive | 1:14-cv-00547 | Active | U.S. District Court, Western District of Michigan | The Honorable R. Allan Edgar | N/A |
| (In re: Martin G. Giddens and Kelley D. Giddens, Debtors.) Angela W. Esposito, as Chapter 7 Trustee of the estate of Martin G. Giddens and Kelley D. Giddens v. Capital One Bank (USA), N.A. | 1:12-cv-10126 | Terminated | U.S. Bankruptcy Court, Middle District of Florida | The Honorable Catherine Peek McEwen | N/A |

| Case Name | N.D. Ill. Case No. | Status | Original Jurisdiction | Originally Assigned District Judge | Originally Assigned Magistrate Judge |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------|---------------------------------------------------------|--------------------------------------------------|--------------------------------------|
| (In re: William D. Grant, Debtor.) Beth Ann Scharrer, as Chapter 7 Trustee of the estate of William D. Grant v. Capital One Bank (USA), N.A. | 1:12-cv-10108 | Terminated | U.S. Bankruptcy Court, Middle District of Florida | The Honorable K. Rodney May | N/A |
| Stephen L. Meininger, as Chapter 7 Trustee of the estate of Kathleen Star Green v. Capital One Bank (USA), N.A. | 1:12-cv-10127 | Terminated | U.S. District Court, Middle District of Florida | The Honorable Elizabeth A. Kovachevich | The Honorable Thomas B. McCoun III |
| Charles Haines v. Capital One Bank (USA), N.A. | 1:12-cv-10144 | Terminated | U.S. District Court, Western District of Tennessee | The Honorable John T. Fowlkes, Jr. | The Honorable Tu M. Pham |
| Aimee Hartman v. Capital One Services, LLC | 1:13-cv-02117 | Terminated | U.S. District Court, Middle District of Florida | The Honorable Mary S. Scriven | The Honorable Mark A. Pizzo |
| (In Re: Michael Wayne Hirst and Tanya Renee Hirst, Debtors.) Stephen L. Meininger, the Chapter 7 Trustee of the estate of Michael Wayne Hirst and Tanya Renee Hirst v. Capital One Bank (USA), N.A. | 1:12-cv-10120 | Terminated | U.S. Bankruptcy Court, Middle District of Florida | The Honorable K. Rodney May | N/A |
| Lashonda Howard v. Capital One Bank (USA), N.A. | 1:14-cv-02595 | Active | U.S. District Court, Southern District of New York | The Honorable Alison J. Nathan | N/A |
| Bonita Johnson v. Capital One Bank (USA), N.A. | 1:14-cv-02383 | Active | U.S. District Court, Eastern District of Michigan | The Honorable David M. Lawson | The Honorable Michael J. Hluchaniuk |
| Marklyn Tyrone Johnson v. Capital One Bank (USA), N.A. | 1:12-cv-10132 | Active | U.S. District Court, District of Minnesota | The Honorable John R. Tunheim | The Honorable Jeffrey J. Keyes |
| Lisa Kemmerer v. Capital One Bank (USA), N.A. | 1:13-cv-06857 | Active | U.S. District Court, Middle District of Pennsylvania | The Honorable James M. Munley | N/A |
| David M. Lavender v. Capital One Services, LLC | 1:13-cv-09095 | Active | U.S. District Court, District of Kansas | The Honorable J. Thomas Marten | The Honorable Kenneth G. Gale |
| Paul LeBlanc v. Capital One Bank (USA), N.A., and DFS Services LLC | 1:14-cv-01646 | Active | U.S. District Court, Southern District of New York | The Honorable Andrew L. Carter, Jr. | N/A |
| Lindy Libert v. Capital One Bank USA, N.A. | 1:12-cv-10106 | Active | U.S. District Court, Middle District of Florida | The Honorable Henry Lee Adams, Jr. | The Honorable Thomas E. Morris |
| Nicholas Martin and David Mack on behalf of themselves and others similarly situated v. Leading Edge Recovery Solutions, LLC and Capital One Bank (USA), N.A. | 1:11-cv-05886 | Active | U.S. District Court, Northern District of Illinois | The Honorable Joan H. Lefkow | The Honorable Young B. Kim |
| Nicole Massey v. Capital One Bank (USA) N.A. | 1:13-cv-09096 | Active | U.S. District Court, Eastern District of Michigan | The Honorable Gershwin A. Drain | The Honorable Laurie J. Michelson |
| Lisa McGowan v. Capital One Bank USA, N.A., Does I through 10 | 1:13-cv-06856 | Terminated | U.S. District Court, Southern District of California | The Honorable M. James Lorenz | The Honorable William McCurine, Jr. |
| Desiree McShane v. Capital One Services, LLC | 1:12-cv-10128 | Active | U.S. District Court, Middle District of Florida | The Honorable James D. Whittemore | The Honorable Thomas G. Wilson |
| John Mendoza v. Capital One Bank (USA), N.A. | 1:14-cv-00548 | Active | U.S. District Court, Southern District of Texas | The Honorable Hayden Head | N/A |
| Morthen Nielsen v. Capital One Bank (USA) N.A., Defendant | 1:13-cv-08784 | Active | U.S. District Court Middle District of Florida | The Honorable Virginia M. Hernandez Covington | The Honorable Elizabeth A. Jenkins |
| Hilda Ortiz v. Capital One | 1:13-cv-03202 | Terminated | U.S. District Court Western District of Texas | The Honorable David C. Guaderrama | N/A |
| Charles C. Patterson, on behalf of himself and all others similarly situated v. Capital Management Services, LP and Capital One Bank (USA), N.A. | 1:12-cv-01061 | Active | U.S. District Court Northern District of Illinois | The Honorable James F. Holderman | The Honorable Sheila M. Finnegan |
| Jay Rachlen v. Capital One Financial Corporation | 1:14-cv-01221 | Terminated | U.S. District Court District of Nevada | The Honorable Gloria M. Navarro | The Honorable Peggy A. Leen |
| Denise Rice v. Capital One Bank, N.A.; and DOES 1 through 10 | 1:13-cv-02401 | Active | U.S. District Court, Middle District of Georgia | The Honorable W. Louis Sands | N/A |
| (In re: Mark J. Rice and Lynne J. Rice, a/k/a Lynne J. Ulloa, Debtor) Larry S. Hyman, as Chapter 7 Trustee of the estate of Mark J. Rice and Lynne J. Rice, a/k/a Lynne J. Ulloa v. Capital One Bank (USA), N.A. | 1:12-cv-10142 | Terminated | U.S. Bankruptcy Court, Middle District of Florida | The Honorable K. Rodney May | N/A |
| (In re: Felicia G. Robinson, Debtor.) Stephen L. Meininger, as Chapter 7 Trustee of the estate of Felicia G. Robinson v. Capital One Bank (USA), N.A. | 1:12-cv-10139 | Terminated | U.S. Bankruptcy Court, Middle District of Florida | The Honorable Catherine Peek McEwen | N/A |
| Dean & Arlene Schauf v. Capital One Bank (USA), N.A. | 1:12-cv-10130 | Terminated | U.S. District Court, Northern District of Iowa | The Honorable Edward J. McManus | The Honorable Jon S. Scoles |
| (In re: Sarah Lee Subotkowski, Debtor) V. John Brook, as Chapter 7 Trustee of the estate of Sarah Lee Subotkowski v. Capital One Bank (USA), N.A. | 1:12-cv-10113 | Terminated | U.S. Bankruptcy Court, Middle District of Florida | The Honorable Michael G. Williamson | N/A |
| Carrie Tate v. Capital One, N.A. | 1:12-cv-10133 | Active | U.S. District Court, Southern District of New York | The Honorable Ronnie Abrams | N/A |

| Case Name | N.D. Ill. Case No. | Status | Original Jurisdiction | Originally Assigned District Judge | Originally Assigned Magistrate Judge |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------|--------------------------------------------------------|--------------------------------------|--------------------------------------|
| (In re: Curran F. Thomas, Debtor) Angela W. Esposito, as Chapter 7 Trustee of the estate of Curran F. Thomas v. Capital One Bank (USA), N.A. | 1:12-cv-10110 | Terminated | U.S. Bankruptcy Court Middle District of Florida | The Honorable K. Rodney May | N/A |
| In re: Robert Kenneth Tomlinson and Kimberley Dawn Tomlinson, Debtors) Angela W. Esposito, as Chapter 7 Trustee of the estate of Robert Kenneth Tomlinson and Kimberley Dawn Tomlinson v. Capital One Bank (USA), N.A. | 1:12-cv-10115 | Terminated | U.S. Bankruptcy Court Middle District of Florida | The Honorable K. Rodney May | N/A |
| Elizabeth Toumi v. Capital One Bank (USA) N.A.; and Does 1-10, inclusive | 1:13-cv-09094 | Active | U.S. District Court Northern District of California | N/A | The Honorable Donna M. Ryu |
| (In re: Robert Allen Turcotte and Patricia Pauline Turcotte, Debtors.) Stephen L. Meininger, as Chapter 7 Trustee of the estates of Robert Allen Turcotte and Patricia Pauline Turcotte v. Capital One Bank (USA), N.A. | 1:12-cv-10112 | Terminated | U.S. Bankruptcy Court Middle District of Florida | The Honorable Michael G. Williamson | N/A |
| Jessica Vadella v. Capital One Bank (USA), N.A., NCO Financial Systems, Inc., Allied Interstate, LLC | 1:12-cv-10134 | Active | U.S. District Court Middle District of Pennsylvania | The Honorable Robert D. Mariani | N/A |
| (In re: Jennifer E. Warne, Debtor) Angela W. Esposito, as Chapter 7 Trustee of the estate of Jennifer E. Warne v. Capital One Bank (USA), N.A. | 1:12-cv-10107 | Terminated | U.S. Bankruptcy Court Middle District of Florida | The Honorable K. Rodney May | N/A |
| (In re: Melanie J. Watson, Debtor.) Angela W. Esposito, as Chapter 7 Trustee of the estate of Melanie J. Watson v. Capital One Bank (USA), N.A. | 1:12-cv-10109 | Terminated | U.S. Bankruptcy Court Middle District of Florida | The Honorable Michael G. Williamson | N/A |
| (In re: Phyllis N. Wayne, Debtor.) Angela W. Esposito, as Chapter 7 Trustee of the estate of Phyllis N. Wayne v. Capital One Bank (USA), N.A. | 1:12-cv-10121 | Terminated | U.S. Bankruptcy Court Middle District of Florida | The Honorable K. Rodney May | N/A |
| Benjamin Wilkes v. Capital One, N.A. | 1:12-cv-10129 | Terminated | U.S. District Court Northern District of Indiana | The Honorable Jon E. DeGuilio | The Honorable Andrew P. Rodovich |
| (In re: John Wayne Woodruff Jr., Debtor.) Angela W. Esposito, the Chapter 7 Trustee of the bankruptcy estate of John Wayne Woodruff Jr. v. Capital One Bank (USA), N.A. | 1:12-cv-10118 | Terminated | U.S. Bankruptcy Court Middle District of Florida | The Honorable Catherine Peek McEwen | N/A |
| (In re: Suzanne W. Wright, Debtor.) Stephen L. Meininger, as Chapter 7 Trustee of the estate of Suzanne E. Wright v. Capital One Bank (USA), N.A. | 1:12-cv-10125 | Terminated | U.S. Bankruptcy Court Middle District of Florida | The Honorable Catherine Peek McEwen | N/A |
| Steven Young v. Capital One Bank | 1:13-cv-05926 | Active | U.S. District Court Middle District of Florida | The Honorable Sheri Polster Chappell | The Honorable Douglas N. Frazier |

Should the Court seek additional information regarding the status of matters within this multidistrict litigation, Capital One will provide it. Capital One will submit an update to this Status Report before the July 29, 2014, status hearing.

Dated: June 18, 2014

Respectfully submitted,

/s/ Erin L. Hoffman

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CERTIFICATE OF SERVICE

I certify that on June 18, 2014, a copy of the foregoing **CAPITAL ONE'S STATUS REPORT** was filed electronically. Notice of this filing will be sent to all counsel of record by operation of the Court's electronic filing system.

/s/ Erin L. Hoffman

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